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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/583,057	06/14/2006	Esa-Sakari Maatta	915-001.088	8812

4955 7590 06/04/2009  
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EXAMINER
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OBAYANJU, OMONIYI

ART UNIT	PAPER NUMBER
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2617

MAIL DATE	DELIVERY MODE
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06/04/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/583,057	<b>Applicant(s)</b> MAATTA ET AL.	
	<b>Examiner</b> OMONIYI A. OBAYANJU	<b>Art Unit</b> 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 06 April 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>06/14/2006</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 04/06/2009 has been entered.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Satoh et al (US Patent No. 5541813) in view of Lustila et al. (US Publication 20010018332).

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As to **claim 1, 3, 5, and 9**, Satoh teaches a base part for mobile phone (abs, and fig.1, #4) wherein the base part is integrated of a hard body part (abs lines 7-8), a phone window (fig. 1, #5) and a soft middle part (abs line 6-7), which is connecting the mentioned parts and wherein the phone window is foldable against the hard body part along a hinge line created in the soft middle part (abs. lines 5-7). However, Satoh fails to teach which phone has an upper cover and another cover containing an engine and battery of the phone for connection to the base part and with said mobile phone part connected to said upper cover and said other cover.

But, Lustila teaches which phone has an upper cover and another cover containing an engine (electronic components) and battery of the phone for connection to the base part and with said mobile phone part connected to said upper cover and said other cover (pg. 2, pp0021, lines 1-10). Thus, it would have been obvious to one of ordinary skill in the art at time the invention was made to combine the prior art of teaching of Satoh with the teachings of Lustila to achieve or provide an efficient, reliable, and protective housing support for a wireless handheld communication device.

As to **claims 2, 4, and 10**, Satoh teaches a base part (fig 1. referred to as the operation portion) are integrated one or more of the following parts, a display light guide (fig1. #5), a keypad light guide, a keypad, a keypad graphics, a keypad contacting surface, (fig 1. #4) a display holder, a display connector holder, an earpiece holder, a buzzer holder, a display gasket, an earpiece gasket, a buzzer gasket.

As to **claim 6, 7, and 8**, Satoh teaches a method of manufacturing a base part for a mobile phone by injection molding, wherein the method includes the following two

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comprising (column 2, lines 35-45): a) performing a first stage of injection molding with a first injection mold producing a phone window and a hard body part hard plastic (column 2, lines 55-57). b) performing a second stage of injection molding with a soft elastomer producing a soft middle part which has a hinge line to fold up the phone window against the hard body part (column 2, lines 57-60). However, Satoh fails to teach having an upper cover and another cover containing an engine and battery of the phone.

But, Lustila teaches having an upper cover and another cover containing an engine (electronic components) and battery of the phone (pg. 2, pp0021, lines 1-10). Thus, it would have been obvious to one of ordinary skill in the art at time the invention was made to combine the prior art of teaching of Satoh with the teachings of Lustila to achieve or provide an efficient, reliable, and protective housing support for a wireless handheld communication device.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OMONIYI A. OBAYANJU whose telephone number is (571)270-5885. The examiner can normally be reached on Mon - Fri, 7:30 - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent P. Harper can be reached on 571-272-7605. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/O. A. O./  
Examiner, Art Unit 2617

/VINCENT P. HARPER/  
Supervisory Patent Examiner, Art  
Unit 2617